

August 24, 2015



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 16170  
(FIRST REVISION)

**EXPIRATION DATE: July 31, 2017**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Hydro Stat LLC  
Holly, MI
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the removal of certain requalification markings from DOT-3AL cylinders that have previously been requalified using ultrasonic examination "UE" in accordance with DOT-SP 14546 or DOT-SP 14854. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 180.213(b)(2) in that requalification markings may not be removed, except as provided herein.
5. BASIS: This special permit is based on the application of Hydro Stat LLC dated June 29, 2015 submitted in accordance with § 107.105 and the public proceeding thereon.

**August 24, 2015**6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Hazardous materials authorized for transportation in DOT 3AL cylinders	Various	Various	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a DOT 3AL cylinder that was previously retested under the terms of DOT-SP 14546 or DOT-SP 14854.

b. OPERATIONAL CONTROLS - The special permit number (DOT-SP 14546 or 14854) and the "UE" marking may be removed from a cylinder by peening or if applied by a label, by peeling or scraping the label off provided the following are met:

(1) Permission is obtained from the cylinder owner;

(2) The minimum wall thickness is maintained in accordance with manufacturing specifications for the cylinder; and

(3) The original manufacturing test date is not removed.

c. A list of serial numbers for each cylinder that has had markings removed under the terms of this special permit must be maintained and made available upon request.

d. Cylinders that have had the Special permit and "UE" marking removed in accordance with this special permit must be requalified in accordance with the applicable procedures and requalification intervals for hydrostatic pressure testing in accordance with Part 180, Subpart C.

e. Once a cylinder has had the DOT-SP 14546 or DOT-SP 14854 marking and the "UE" marking removed, it may not be returned to "UE" service under those special permits.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, Cargo aircraft, Cargo Vessel, Passenger-carrying aircraft, Rail Freight.

10. MODAL REQUIREMENTS: None, other than as required by the HMR.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

**August 24, 2015**

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: LAVALLE/SG